

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

ASHLEY H. THOMPSON, mother,
J. T., a minor child,
and RONALD C. THOMPSON,
husband,

Plaintiffs,

v.

RUBEN GARZA,

Defendant.

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* CIVIL ACTION NO. 2:06-cv-420-WHA

JUDGMENT ORDER FOR APPROVAL OF
PRO AMI SETTLEMENT

This cause coming on to be heard on the Complaint, Defendant's Answer thereto, and the proposed Pro Ami Settlement Agreement, the Court has considered the testimony of the Plaintiffs and the exhibits offered into evidence, including medical records. Upon due consideration thereof, the Court is of the opinion that the proposed settlement of the claim of J. T., a minor, is just, fair, reasonable, in keeping with the evidence, and conservative of the minor's best interests.

Based on the oral testimony presented in open court as to the nature and extent of the injuries and expenses incurred as a result of the injuries sustained by J. T., and after having the opportunity to examine the material referred to herein, it is the opinion of this Court that the materials and the testimony provide an ample basis to the Court to understand the issues in this case; to form a judgment as to the issues presented in this case; to understand the alleged liability and denial of liability; as well as the issues related to the medical condition of the minor.

It is the finding of this Court that Ashley Thompson is the parent and legal guardian of J. T., the minor, and that she holds the right to pursue all claims on behalf of the minor child for the incident referred to in the Complaint. The Court finds that the settlement, once fully executed, will forever bar any further claims for or on behalf of the minor child arising out of the August 17, 2005, incident described in the Complaint.

The Court has appointed a guardian ad litem, Bryan Paul, Esq., to represent the best interests of the minor.

In order to settle this case, the Defendants and their insurer have agreed to pay a total of \$3,500.00. This payment is offered in full satisfaction of all claims of the minor arising out of the accident at issue in this case.

Upon consideration, the Court finds and determines that the proposed settlement is fair, reasonable, just and in the best interests of the minor and should be approved by the Court. Accordingly, it is ORDERED, ADJUDGED and DECREED as follows:

1. The settlement proposed by the parties is approved.
2. It is directed that \$0 be deducted from the settlement proceeds to satisfy the claims for medical expenses arising out of the accident in this case.
3. It is directed that \$0 be paid directly to Ashley Thompson, to reimburse her for expenses associated with the care and treatment received by J. T., as a result of the accident at issue in this case.
4. Of the above-described settlement proceeds, \$0 is to be paid to the attorneys for J. T. for attorney's fees and costs associated with the

litigation of this case. The Court finds the above-described fees and expenses to be just and reasonable.

5. The proceeds of this settlement are to be put in a mutually agreeable trust in the name of the minor child, J.T., with joint co-signers being Ashley Thompson and Ronald Thompson.
6. A guardian ad litem fee of \$600.00 is hereby awarded and taxed as costs against the Defendants.

Upon payment of the settlement proceeds described above, the Defendant shall have discharged their obligations under the settlement and shall be discharged and released from any further liability to the Plaintiffs arising out of the accident made the basis of this lawsuit and all claims which were or possibly could have been asserted in this action by the Plaintiffs against the Defendants are hereby merged in this judgment order and are forever barred.

Done this 20th day of July, 2007


UNITED STATES DISTRICT COURT JUDGE

cc: S. Anthony Higgins
Andy Nelms
Virginia Lucci
Bryan Paul